



GAS TRUST HEARING IS DENIED; \$10,000,000 GOES BACK TO PATRONS



NIGHT EDITION

PRICE ONE CENT.

NEW YORK, MONDAY, FEBRUARY 1, 1909.

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BROKER LOVE'S FIRM SAVED BY BIG CHECKS FROM JUDGE MOORE

Came to Rescue of Stock Exchange Firm With \$2,000,000, It Is Said.
TO PREVENT A FLURRY.
Wall Street Men, Stirred by Action, Call Rock Island Magnate a Philanthropist.

All Wall street is talking to-day of the rescue of the New York Stock Exchange house of Sidney C. Love & Co. by former Judge William H. Moore, who is reported to have gone down into his pocket to the extent of over \$2,000,000, winding up the affairs of the firm.

Announcement is made that the stock business of the firm has been transferred to Hollister & Babcock, while the grain and cotton business has been transferred to Shearson, Hamill & Co. Mr. Love's Stock Exchange stock has been posted for redemption to Hans Kierstede Hudson, son of C. I. Hudson, the banker and broker, which is equivalent to its sale, provided the Board of Governors does not interfere between now and Thursday week.

Former Judge Moore, when seen at his office, No. 115 Broadway, by an Evening World reporter, declined making any statement for publication concerning young Mr. Love, who has been regarded in the financial district as a protégé of the Rock Island magnate.

Call Him a Philanthropist.
"I do not care to discuss what I have done," was the extent to which Judge Moore would allow himself to be quoted.

However, friends of former Judge Moore claim him to be a philanthropist in the Love incident. They declare that the lawyer has done a magnificent deed in propping up S. C. Love & Co., and great credit is due him from the Board of Governors of the New York Stock Exchange.

Judge Moore's motives are ascribed to a desire on his part to aid the financial district below Fulton street by preventing any disagreeable ripple on its surface. He is reported to have put his checkbook at the disposal of the firm and for a week has practically devoted his entire attention to the transfer of customers' accounts from S. C. Love & Co. to the other stock exchange houses.

Mr. Love mystified Wall street about a week ago by permitting an announcement from Chicago that he had made \$2,000,000 and was retiring with a profit of that amount. It now develops that the figures were placed upon the wrong side of the ledger, and that Mr. Love has suffered a loss.

Accounts All Transferred.
When asked for a statement at his home, No. 1112 West Thirty-seventh street, Mr. Love declined to discuss his retirement from the New York Stock Exchange.

At the firm's offices, No. 2 Wall street, it was said that the transfers of customers' accounts had been practically completed. Fifteen clerks have been given a week's notice to seek other employment. Judge Moore was spoken of as the savior of the firm.

Who Shall Lead New York Society?
That's the weighty question—the complex problem—that members of New York's 400 are striving to solve.

Who will fall heir to the undisputed leadership of the late Mrs. Astor? The names of Mrs. Ogden Mills, Mrs. Cornelius Vanderbilt Jr., Mrs. Stuyvesant Fish, Mrs. Clarence Mackay, Mrs. John Jacob Astor, Mrs. George Gould, Mrs. Hermann Delmonico, etc., have been suggested by their respective coteries of friends and admirers.

On the other hand, Frederick Townsend Martin insists that New York is now too big for a single social leader. Much is to be said in behalf of the candidates in question for the high social honor. Just what these pleasant and criticisms are set forth in a "feature" article in yesterday's Sunday World. Did you read it? It was one of more than a dozen "exclusives" printed in the Magazine Section.

Perhaps you didn't order a Sunday World in advance and found them all gone. If so, profit by your experience on Sunday to come.

W. GOULD BROKAW SUED BY HIS WIFE FOR SEPARATION

Charges Cruelty and Failure to Provide in Papers Submitted to Court.

HE DODGES SERVICE.
Put On False Whiskers to Elude Process Server, She Alleges.

Mary Blair Brokaw, through her lawyers, Griggs, Baldwin & Pierce, of No. 27 Pine street, obtained an order to-day from Justice Madox, of the Supreme Court, at Mineola, permitting her to serve her husband, W. Gould Brokaw, with notice of a suit for separation and maintenance. Mrs. Brokaw says in her complaint that she believes her husband is avoiding service and that he has treated her with cruelty and contempt and has failed to provide for her.

According to the complaint submitted Mrs. Brokaw and her lawyers prepare papers to be served on her husband early last October. When the process-server arrived at the Hotel Netherlands Mr. Brokaw, who seemed to have sensed the coming squall, went out, he said, "to see a man." He put on false whiskers and boarded an automobile around the corner. His wife has seen him only once since. That was a few days later, when he telephoned her to meet him at the Laurel House at Lakewood. She went there and took the process-server with her. Mr. Brokaw, she swears, came out on the porch, saw her with the process-server, ran back into the hotel and climbed out of a back window and down a fire-escape. He made his way to a country club and thence to his estate in North Carolina—High Point.

Jealous, She Says.
The Brokaws were married in September, 1907, at Chittenango, N. Y. Ever since their marriage, says Mrs. Brokaw, her husband has been unduly jealous of her and has allowed her no pleasures or freedom of action. Among other charges, she says, he forbade her to go on the street, even with her maid, unless he accompanied her. He accused her of flirting with his friends and with hers who were among the guests at their dinners; he did not wait until the guests were gone to give voice to these accusations; he broke into her room at all hours of the day or night with the avowed object of catching her in compromising relations with persons with whom she actually had only a formal acquaintance. He intercepted her letters and read them.

In November, 1907, he brought her some flowers at the Hotel Seville, because she was not sufficiently enthusiastic over the offering. Mrs. Brokaw says she took the flowers away and under pretense of going to be shaved went out and made herself conspicuously drunk and returned to abuse her vocally and physically.

Mr. Brokaw underwent an operation in Baltimore in November, 1907. She lived at the sanatorium during his illness there. When she went out for air, she charges, he accused her of having an intrigue with the surgeon who had operated on him. Afterward he issued orders that she must never leave his presence or his house. She asked him: "Does that mean I cannot go out or receive visits except with your family or mine?" He said: "That means I don't want you to be meeting Jimmy Martin."

She explains in her complaint that Mr. Martin is Mr. Brokaw's nephew.

Humiliated at Dinner.
Last winter there was a dinner at High Point, Mrs. Brokaw complains, at which he reviled and humiliated her in the presence of Senator and Mrs. Horace White, of Syracuse; Justice Gildersleeve, Thomas Sturges, Mrs. Potter of Boston; Samuel Willist, former Master of the Meadowbrook Hounds, and Mr. and Mrs. Jules Bache. He spoke indecently to her, she says, in the presence of the seamstress and her maid of the way in which she "paid undue attention to her guests." On that occasion, she says, he said to her: "Take your clothes and get the hell out of here or I will."

In December of last year, she says, she entertained Miss Jenkins, of Baltimore, Miss Taylor and Mrs. Frank Gould with a Mr. Holmes, a Mr. Thomas and another man whose name is not mentioned, at her home in Great Neck. Miss Jenkins and one of the men stayed at the place over night. Within a week she received notice to get off the premises.

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BILLIE BURKE POISONED BY SCRATCH OF PIN

Condition of Actress So Serious That Boston Theatre Closes for Week.

HURT A WEEK AGO.
Paid No Attention to Tiny Wound on Hand Till Inflammation Set In.

News reached New York to-day that Billy Burke, the actress, whose success in her recent engagement at the Lyceum was phenomenal, is so seriously ill in Boston that the Hollis Street Theatre, in which she was to have opened to-night, has been ordered closed for the week. Miss Burke is suffering from blood poisoning.

About a week ago she scratched her hand with a pin. The wound was so slight she paid no attention to it, even when it took on an angry appearance and the surrounding flesh began to swell. In New Haven last Thursday Miss Burke consulted a physician, who said she had contracted blood poisoning from the pin scratch.

By that time the ailment had progressed until the little actress was suffering acute pain. She went through the performance at New Haven Thursday night, but was ordered by the doctors to drop work for a few days.

The dates for Friday and Saturday were cancelled and Miss Burke went directly to Boston, where she placed herself in the care of specialists in the full expectation that she would be well enough to appear to-night. From the fact that the theatre has been ordered closed for a week in the face of a remarkable advance sale it is feared Miss Burke's condition must be serious indeed. Her engagement in Boston was to have run into the spring.

Not a Maid, Says Mrs. Stirling to Kissing on Stairs

May Have Been Silly but Did Not Act Improperly With Lord Northland.

EDINBURGH, Feb. 1.—Interest in the Stirling cross suits for divorce was revived to-day when Mrs. Stirling began her defense of her husband's charges that she had miscondemned herself with Lord Northland.

The accused wife occupied the stand most of the day and made a pathetic figure. Several times she was overcome by tears, and her denials of the charge against her were most emphatic. She characterized many of the assertions of her husband's lawyers as villainous lies, and she replied to the allegation that she had been seen kissing Lord Northland on the stairs by saying that she was not a housemaid.

She admitted that she had perhaps been indiscreet and silly, but she averred that there had been absolutely no improper relations between herself and Lord Northland. She accused Mrs. Atherton of intriguing to throw her in company with Lord Northland so she could monopolize Mr. Stirling to herself.

Mrs. Stirling said among other things that at the time of her wedding Mr. Stirling gave her \$20,000, but at the end of 1907 her husband was in financial difficulties and she handed him the entire amount back. She now had nothing left.

This case throughout has been notable even among divorce cases, for its extreme outspokenness, but the women in the audience sat through without winking. To-day, however, the questions were so intimately delicate that counsel would not proceed until every woman had been cleared out of court. The taking of testimony probably will last all this week.

Pine New Turkish Baths
Open at the new Pullman Building. Only one bath down establishment. Modern in every detail. Electric and Turkish baths all hours, also barber shop open day and night.

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Actress Who Is Seriously Ill as Result of a Pin Scratch



PANAMA HEARING IN WASHINGTON SUDDENLY HALTS

Witnesses From The World Summoned to Capital Not Called to Testify.

WASHINGTON, Feb. 1.—Interest in the proceedings of the Federal Grand Jury, which is inquiring into the Panama publications in the New York World and the Indianapolis News, was intensified to-day when it became known that for the present, at least, no further evidence in the case will be presented. Three witnesses from New York were here to-day in response to subpoenas, but after being questioned by District-Attorney Baker they were relieved of the necessity of going before the jury.

This also was true of J. Angus Shaw, who on Friday last refused to testify.

The same sphinx-like silence which has marked their course throughout the hearing was maintained to-day by Mr. Baker and his assistants regarding the next step to be taken. The discharge from further attendance of all The World witnesses brought here coupled with the fact that the hearing has been continued indefinitely, gave rise to the rumor around the court-house that some action was immediately contemplated by District-Attorney Jerome in New York City and that the Government, for the time being, will hold its peace.

Several persons occupying high positions in the Press Publishing Company were present in response to subpoenas to appear for examination. They were Dumont Clarke, president of the American Exchange National Bank and vice-president of the Press Publishing Company; Florence D. White, financial manager, and Samuel Williams, a staff correspondent. One by one they were conducted into the office of District-Attorney Baker and questioned, and it was afterward stated that they would not be taken before the grand jury.

After hearing their statements, the District-Attorney decided that it was not necessary for them to repeat their statements before the Grand Jury and discharged them from further attendance.

Following a lengthy conference in the office of the District-Attorney.

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GAS TRUST MUST REPAY \$10,000,000; REHEARING DENIED

Refusal by the United States Supreme Court To-Day to Reopen the Case Removes Last Bar to Return of Cash.

PAYMENTS TO HOLDERS OF RECEIPTS SHOULD BEGIN SOON

Evening World Wins Again in Its Fight for the People Against the Combine Which Resisted Their Will as Expressed by 80-Cent Law.

Get out your gas bills and prepare to collect your rebates, because the Gas Trust is going to refund that \$10,000,000. The United States Supreme Court denied to-day the petition of the Consolidated Gas Company for a rehearing on the decision establishing the validity of the legislative act of 1906, which fixed the price of gas in this city at 80 cents per thousand feet.

As The Evening World announced the day the decision was handed down and has repeatedly announced since, the price of gas in this city—excepting in some remote sections—is 80 cents per thousand feet and has been 80 cents per thousand feet since May 1, 1906. A few lawyers have tried to override the Supreme Court of the United States and, of course, have failed.

BRANDENBURG FORFEITS HIS BAIL OF \$1,500

Writer Fails to Appear for Trial on Grand Larceny Charge.

Broughton Brandenburg, the magazine writer, indicted for grand larceny in that he obtained \$500 from the New York Times for an article purporting to have been written by the late Grover Cleveland, the authenticity of which was denied by the ex-President's widow and friends, failed to appear in the Criminal Branch of the Supreme Court to-day when his bond was called for trial. His bail bond of \$1,500 was forfeited and a bench warrant issued by order of Justice Dowling.

Brandenburg's bond was furnished by the American Bonding Company, of Baltimore, the New York agent of which deposited \$1,500 cash with the City Chamberlain before Justice Dowling forfeited the young man's bond. Clerk Penny had Brandenburg's name entered in the courtroom and corridors.

The alleged spurious Cleveland article which Brandenburg sold to the New York Times was an essay on politics and bore what Brandenburg declared was the dead ex-President's signature. Mrs. Cleveland and others competent to testify as to the genuineness of the signature declared it a forgery.

Mr. Jerome maintains that he has every proof to establish Brandenburg's guilt. Among the District-Attorney's witnesses, besides Mrs. Cleveland, are two young women who swear that they wrote the "Cleveland article" from Brandenburg's dictation.

At No. 62 West Ninth street, a boarding house conducted by Mrs. Maria Rullino, where Brandenburg has lived for the past two months, it was said that he and Mrs. Brandenburg had gone out early this morning. Their board had been paid up till a few days ago.

Will Have to Settle.
Perhaps these gentlemen may counsel more delay in carrying out the inexorable demands of the supreme tribunal of this nation, but the final result will be the same. They will have to settle with the people.

The petition for a rehearing, filed with the Supreme Court, was denied to-day.

The \$10,000,000 or thereabouts which the gas companies have collected in excess of the legal rate in the past twenty-three months is the property of the gas consumers. The gas companies have no more title to it than they have to any consumer's gold watch or baby carriage.

Wait for the Word.
On Jan. 18 The Evening World presented, upon authority, the plan by which the excess collections, now in excess, shall be refunded to the gas users of the city. The plan is reported today. Cut it out and tie it up with your package of gas bills, and when you get the word from The Evening World—get busy.